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10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14 UNITED STATES OF AMERICA, ) No. CR 11-00456 EJD  
15 Plaintiff, )  
16 v. ) STIPULATION AND [PROPOSED]  
17 SANFORD WALLACE, ) ORDER CONTINUING STATUS  
18 Defendant. ) HEARING AND EXCLUDING TIME  
19 \_\_\_\_\_ ) UNDER THE SPEEDY TRIAL ACT  
SAN JOSE VENUE

20 The undersigned parties respectfully request that the status hearing currently scheduled  
21 for August 6, 2012 be continued to October 1, 2012. The reason for the continuance is that  
22 K.C. Maxwell, who represents the defendant, is continuing her investigation. In addition, the  
23 parties need to meet and confer about the case. The parties also request an exclusion of time  
24 under the Speedy Trial Act from August 6, 2012 through October 1, 2012. The parties agree and  
25 stipulate that an exclusion of time is appropriate based on the defendant's need for effective  
26 preparation of counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

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28 //

1 SO STIPULATED:

MELINDA HAAG  
United States Attorney

2 DATED: 7/30/12

/s/  
3 SUSAN KNIGHT  
Assistant United States Attorney

4 DATED: 7/30/12

/s/  
5 K.C. MAXWELL  
Counsel for Mr. Wallace

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8 **ORDER**

9 Accordingly, for good cause shown, the Court HEREBY ORDERS that the status hearing  
10 scheduled for August 6, 2012 is continued to October 1, 2012.

11 The Court FURTHER ORDERS that time be excluded under the Speedy Trial Act from  
12 August 6, 2012 through October 1, 2012. The Court finds, based on the aforementioned reasons,  
13 that the ends of justice served by granting the requested continuance outweigh the best interest of  
14 the public and the defendant in a speedy trial. The failure to grant the requested continuance  
15 would deny defense counsel reasonable time necessary for effective preparation, taking into  
16 account the exercise of due diligence, and would result in a miscarriage of justice. The Court  
17 therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A)  
18 and (B)(iv).

19 SO ORDERED.

20

21 DATED: July 30, 2012

  
22 EDWARD J. DAVILA  
United States District Judge